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## REMARKS

### RESPONSE TO RESTRICTION REQUIREMENT

In response to the Examiner's Restriction Requirement, Applicants wish to elect the claims of Group I, claims 9-19, without traverse. Claims 1-8, the claims of Group II, are hereby cancelled without prejudice to Applicants' right to seek claims to the invention(s) of these claims in (a) related application(s).

### AMENDMENTS TO THE SPECIFICATION

The specification has been amended to address the Examiner's objections.

### CLAIM REJECTIONS BASED ON § 102 - HSU

In the official action dated December 22, 2005, claims 9, 12, 14, 17, and 19 were rejected by the Examiner under 35 U.S.C. § 102(e) as being anticipated by U.S. Application Publication 2003/0012997 to Hsu ("Hsu").

#### A. The Rejections of Claims 9 and 14

MPEP § 2131 provides that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

The Examiner rejected independent claims 9 and 14 alleging that Hsu teaches all of the elements contained in claim 9 and 14. Among the elements allegedly contained in Hsu, the Examiner specifically states that Hsu teaches:

a fuel reformer (68) having an air inlet/via air pre-heater (69) fluidly coupled to the pressurized air outlet of the compressor (illustrated by arrow from compressor (76) extending to pressure vessel (77)), and a reformate gas outlet/(fluidly connected to fuel

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cell (72)) fluidly coupled to the reformatte gas/fuel cell exhaust (79) inlet of the turbine (80) (as illustrated) (page 3, paragraph [0034]).

Contrary to the Examiner's statement that all elements are disclosed in Hsu, certain elements are not. For example, Hsu does not teach a fuel reformer having an air inlet fluidly coupled to a pressurized air outlet of the compressor. The Examiner herself acknowledges that Hsu does not teach this. Specifically, the Examiner states that Hsu shows a fuel reformer 68 having an air inlet fluidly coupled "via air preheater (69)" to a pressurized air outlet of a compressor. However, her interpretation is incorrect. Namely, Hsu provides that air is "introduced to the compressor 76 . . . where it is compressed, heated in the air preheater 69 and discharged and introduced to the electrochemical converter [fuel cell] 72." (Hsu, pg. 3, para. [0034]). Hsu teaches that compressed air leaving the compressor 76 is not introduced into the fuel reformer 68 at all, but rather is instead discharged from the air preheater 69 into the fuel cell 72. In other words, air from the compressor 76 bypasses the fuel reformer 68. This clearly contradicts the Examiner's assertion that the air inlet of the fuel reformer 68 and the air outlet of compressor 76 are fluidly coupled.

For at least these reasons, Applicants respectfully believe that the Examiner's rejection of claims 9 and 14 under § 102(e) is defective and should be withdrawn.

#### B. The Rejection of Claim 12

Claim 12 is directly dependent upon claim 9. As a result, the rejections of claim 12 should be withdrawn for at least the reasons discussed in regard to claim 9.

#### C. The Rejection of Claims 17 and 19

Claims 17 and 19 are dependent upon claim 14. As a result, the rejections of claims 17 and 19 should be withdrawn for at least the reasons discussed in regard to claim 14.

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#### CLAIM REJECTIONS BASED ON § 103 - HSU/SURMA

The Examiner rejected claims 10 and 15 under § 103(a) as being obvious over Hsu, as applied to claims 9 and 14, in further view of U.S. Patent No. 6,630,113 to Surma.

##### A. The Rejection of Claims 10 and 15

Claims 10 and 15 are dependent upon claims 9 and 14, respectively. As a result, the rejection of claims 10 and 15 should be withdrawn for at least the reasons discussed in regard to claims 9 and 14.

#### CLAIM REJECTIONS BASED UPON § 103 - HSU/BROMBERG

The Examiner rejected Claims 11, 13, 16, and 18 under § 103(a) as being obvious over Hsu, as applied to claims 9 and 14, and further in view of U.S. Application Publication 2002/0194835 to Bromberg et al.

##### A. The Rejection of Claims 11 and 13

Claims 11 and 13 are both dependent upon claim 9. As a result, the rejections of claims 11 and 13 should be withdrawn for at least the reasons discussed in regard to claim 9.

##### B. The Rejection of Claims 16 and 18

Claims 16 and 18 are both dependent upon claim 14. As a result, the rejections of claims 16 and 18 should be withdrawn for at least the reasons discussed in regard to claim 14.

#### CONCLUSION

In view of the foregoing remarks, it is submitted that this application is in condition for allowance. Action to that end is hereby solicited.

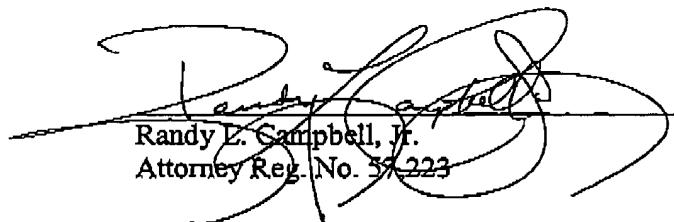
In the event that there are any questions related to this response in particular, or to the application in general, the undersigned would appreciate the opportunity to address those

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questions directly in a telephone interview to expedite the prosecution of this application for all concerned.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages in other fees be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg LLP, Deposit Account No. 10-0435 with reference to file 9501-72760.

Respectfully submitted,  
BARNES & THORNBURG LLP



Randy E. Campbell, Jr.  
Attorney Reg. No. 57-223

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